



# CITY OF SAN BRUNO

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TO: All Users of the San Bruno Zoning Ordinance

FROM: San Bruno Community Development Department

SUBJECT: Single-family and Two-family Residential Additions and New Construction

## BACKGROUND

In previous decades, San Bruno experienced a surge of massive building additions to existing houses. Too often, these additions were so large they impacted the adjacent houses, blocked views, changed the character of the neighborhood, or did not provide adequate off-street parking.

In addition, several new houses were either constructed or proposed on steep hillside properties. This type of construction presents other problems, including blocking views of existing neighbors or changing the terrain in order to construct larger houses.

Ordinance 1520 was created in 1990 to help address these issues and allow the public to be informed on significant construction in their surrounding neighborhood. Along with the development regulations in the Zoning Ordinance, Ordinance 1520 helps protect San Bruno residents from the major abuses caused by "overbuilding" of residential lots.

## PURPOSE

The city of San Bruno is a well-established residential community of predominantly single family homes. Significantly oversized residential structures are incompatible with the character of this residential community, and are not in harmony with the principles of high quality neighborhoods. This is intended to accomplish the following:

- Enhance the identity of residential neighborhoods.
- Assure provision of light and air to individual residential parcels.
- Assure a reasonable level of compatibility in scale of structures within residential neighborhoods.
- Establish and preserve spatial relationship(s) between structures, between structures and adjacent streets, and within neighborhoods.
- Address residential parking for non-conforming structures seeking extensive expansion or remodeling.
- Prohibit the loss of interior housing space through the creation of excessive residential storage or parking garages.
- Control development of hillside lots and lands, preserve buildings suited for natural hillside surroundings, and recognize differences between hillside developments and flat land developments.
- Preserve the city's dwindling stock of affordable housing.

## WHO ENFORCES THE ORDINANCE?

The Planning Division will review all plans for new construction and additions to single-family and two-family houses for general compliance with the new ordinance, as well as other zoning regulations. Preliminary meetings are encouraged before applications are filed. If any of the outlined criteria are exceeded, the Planning Division will help the applicants through the Planning process. If no planning approvals are needed, the applicants only need to secure building permits.

Following Planning Division approval (if needed), the Building Division reviews all plans for compliance with the Uniform Building Code, Plumbing Code, Electrical Code, and Mechanical Code, in the same manner as always and issues a building permit at which time construction can proceed. The process to obtain a building permit for a residential addition includes:

- Three (3) sets of plans and two (2) set of energy calculations submitted to Building Division for Plan Check. Four (4) sets of plans are required if the project received Planning Commission approval.
- Plans routed to City departments
- If needed, a correction list is returned to the applicant. These issues must be corrected and plans resubmitted.
- Once corrections are made (if needed), Building Permit is issued and construction can begin.

For further information regarding the Building Permit process, please call (650) 616-7076.

## DEFINITIONS

In order to communicate in a consistent manner, some definitions are included to clarify terms that are used in this document.

### GROSS LOT SIZE

Establish the gross lot size by multiplying the length of the property by the width. This will give the square footage of the lot. Some lots will not be perfect rectangles, requiring some extra calculations or outside help.

$$\frac{\text{Lot width}}{\text{Lot width}} \times \frac{\text{Lot Length}}{\text{Lot Length}} = \frac{\text{Gross Lot Area}}{\text{Gross Lot Area}}$$

### ADJUSTED LOT AREA AND PERMITTED FLOOR AREA

The maximum permitted floor area is inversely proportional to size and slope of a lot. Check Chart 1 to find the adjustment factor that accords with the gross lot size and then multiply by the corresponding Floor Area Ratio (FAR) from Chart 2 (The average slope of the lot will determine the maximum FAR).

**\*\*See examples on page 9 and refer to Charts 1 and 2 on page 10.**

$$\frac{\text{Gross Lot Area (From Above)}}{\text{Gross Lot Area (From Above)}} \times \frac{\text{Adj. Factor (Chart 1)}}{\text{Adj. Factor (Chart 1)}} = \frac{\text{Adjusted Lot Area}}{\text{Adjusted Lot Area}} \times \frac{\text{Maximum FAR (Chart 2)}}{\text{Maximum FAR (Chart 2)}} = \frac{\text{Maximum Permitted Floor Area}}{\text{Maximum Permitted Floor Area}}$$

*EXISTING FLOOR AREA*

The total floor space of all floors of a building or buildings measured to the outside surfaces of the building, including but not limited to exterior walls, the attached/detached garage, and other accessory buildings on the lot greater than 120 sq. ft. The following non-habitable spaces are not included: Chimneys, open decks and patios, uninhabitable attic floors, unenclosed porches, unexcavated basements.

*LOT COVERAGE*

The total amount of lot area covered by structures. Unlike floor area, this square footage only accounts for all ground-floor square footage and upper-floor square footage protruding over the ground-floor, including, but not limited to: the main structure, accessory buildings, storage sheds, covered patios, and porches.

$$\frac{\text{Maximum Permitted Floor Area (From page 2)}}{\text{Maximum Permitted Floor Area (From page 2)}} \times \frac{\text{80\% for R-1, 100\% for R-2}}{\text{80\% for R-1, 100\% for R-2}} = \frac{\text{Maximum Allowable Lot Coverage}}{\text{Maximum Allowable Lot Coverage}}$$

*HABITABLE FLOOR AREA*

Any enclosed floor area in the house, garage, or accessory building having any potential living space with minimum dimensions of 8' by 10' and at least 7.5' of head room.

*NON-HABITABLE FLOOR AREA*

Any enclosed floor area in the house, garage, or accessory that is not defined as "habitable." Examples include chimneys, open decks and patios, uninhabitable attic floors, unenclosed porches, and unexcavated basements.

*GARAGE OR CARPORT*

A covered area at least 10 feet by 20 feet, designed and usable for storage of motor vehicles and accessible to an improved street

*STORY*

That portion of any building included between the surface of any floor and the surface of the next floor above it. If there is no floor above it, the space between such floor and the ceiling shall constitute a story.

*FIRST STORY*

The lowest story in a residence, wherein at least 50% of any one wall of that story is four (4) feet above grade.

**WHAT IS THE BASIC PROCESS USED TO IMPLEMENT THE ORDINANCE?**

The majority of new construction or additions to single-family houses or two-flats are processed by obtaining the necessary building permits.

For construction of new homes or additions to existing houses that exceed the thresholds outlined on pages 5 and 6, the Conditional Use Permit process is used. For additions or new construction that encroach into the required setbacks on page 7, the Variance or Minor Modification process is used.

The Conditional Use Permit and Variance applications require an applicant to present plans for public review by the San Bruno Planning Commission, a seven-member commission appointed by the City Council. Prior to the Planning Commission meeting, the Architectural Review Committee reviews the plans and comments on the architectural merits of the project. In addition, property owners within 300 feet of the site of the proposed construction are notified of the hearing and can provide input if they wish.

Minor Modifications applications are noticed to neighbors within 300 feet, however, these are only heard in front of the Architectural Review Committee or the Planning Commission (not both). All of the above processes take approximately two to three months from the time of submittal and consist of the following:

***PROJECT SUBMITTAL & FEES***

The applicant shall pay fees and submit an application following the requirements established on the "Application to the Planning Commission."

***ARCHITECTURAL REVIEW COMMITTEE MEETING***

This Committee consists of three of the seven Planning Commission members. This meeting will focus on the architectural merits of the project. At this meeting the project will be either forwarded to the Planning Commission meeting or continued to a later Architectural Review meeting. City staff and Committee members may visit the site before this meeting.

***NOTICES OF PUBLIC HEARING***

Notices of the project and proposed plans will be mailed to property owners within 300 feet of the subject property and posted in the San Mateo Daily Journal.

***PLANNING COMMISSION MEETING***

This Commission will look at all impacts of the project, both architecturally and in regards to traffic, land use, parking, noise, etc. City staff and Committee members may visit the site before this meeting. The meeting will consist of:

- Staff entering their report and recommendation
- The applicant's statement
- Public comment
- Planning Commission discussion - Conditional Use Permits and Variances can be approved, denied, or approved with conditions to help reduce any negative impacts on the immediate neighborhood or the community at large. There is a ten (10) day appeal period following any approval or denial.

**CONDITIONAL USE PERMIT**

The following is a list of criteria established by Ordinance 1520. If any of these criteria are exceeded, a Conditional Use Permit will need to be approved by the San Bruno Planning Commission in a manner as previously stated. In order to streamline the planning process, the Planning Commission will hear applications that exceed one or more of the following development criteria.

***A NEW OR EXPANDED HOUSE OR TWO-FLAT WHICH PROPOSES EXCEEDING THE FOLLOWING CRITERIA WILL REQUIRE A CONDITIONAL USE PERMIT:***

- 1) For an existing single-family house or two-flat, any expansion of more than fifty percent (50%) of the existing floor area (regardless of any other requirements or conditions).
- 2) For new or expanded houses or two-flats which propose more than the maximum allowable floor area:
  - a) 5,000 square foot, flat lot is allowed up to a total of 2,750 gross square feet.
  - b) 2,500 square foot, flat lot is allowed up to a total of 1,650 gross square feet.
  - c) Other lots determined by multiplying the existing lot size by the figures in Chart 1 and Chart 2 on page 10, with maximum square footage inversely proportional to size and slope of a lot. (Use worksheet on page 2).
- 3) Parking - For expanded houses or two-flats which propose more than maximum allowable floor area without providing required off-street parking:
  - a) Any expansion of gross square footage for a house or two-flat which does not provide any off-street parking.
  - b) Expansion resulting in a floor area greater than 1,825 square feet, excluding the garage area, for a house or two-flat with only one (1) off-street parking space per unit.
  - c) Expansion resulting in a floor area greater than 2,800 square feet, excluding the garage area, for a house or two-flat with only two (2) off-street parking spaces per unit. Tandem parking can be allowed by a parking exception provided the applicant demonstrates a hardship with the parking standards.
- 4) For a new or expanded house or two-flat which exceeds the maximum lot coverage by buildings:
  - a) In the R-1 zoning district, the maximum allowable lot coverage is 80% of maximum allowable floor area, as calculated in the above Criteria 2 (a-c).
  - b) In the R-2 zoning district, the maximum allowable lot coverage is 100% of maximum allowable floor area, as calculated in above Criteria 2 (a-c).
- 5) For a new or expanded house or two-flat which proposes a third story.
- 6) For a new or expanded house or two-flat which proposes to exceed the maximum height of buildings:
  - a) A height of 28 feet (reduced from 35 feet) for lots with less than a 20% slope.

- b) A height of 26 feet for lots with a downslope of more than 20%.
  - c) A height of 30 feet for lots with an up slope of more than 20%.
- 7) Second -story additions that would result in the following:
- a) A second-story with transparent windows, decks or other openings adjacent to an abutting property which has a side yard greater than ten (10) feet.
  - b) A second-story whose front plane is not set back at least five (5) feet further than the front setback of the first story.
  - c) A second-story front deck which is:
    - i) Larger than 72 square feet, or having a front depth greater than six (6) feet;
    - ii) Not set back at least 18 inches from the face of the first floor, or;
    - iii) Does not provide a solid vertical surface around the bottom 18 inches of the deck.
- 8) For a new or expanded single-family dwelling which proposes to construct or expand an accessory building and/or parking garage exceeding 600 sq. ft. or for the storage of more than three (3) automobiles.

**\*\*NOTE:** The City includes all incremental alterations, additions, or expansions of single-family residential structures after September 26, 1988 and on two family residential structures after September 26, 1990. All additions after these dates shall be aggregated and calculated as a single addition or expansion. This will affect Criteria 1 (above on page 5), 50% expansion.

#### **VARIANCE**

The Planning Commission may grant applications for a Variance from the strict application of the terms of the zoning ordinance. The Planning Commission must find that because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the zoning ordinance will deprive the property of privileges enjoyed by other properties in the vicinity and under similar zoning classifications. The Variance, if granted, shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the area.

***ANY NEW CONSTRUCTION THAT ENCROACHES INTO THE FOLLOWING REQUIRED SETBACKS WILL REQUIRE A VARIANCE.***

- 1) FRONT YARD
  - a) 15 feet from front property line to front of main structure.
  - b) 20 feet from back edge of the sidewalk to front of garage (Size of driveway).
- 2) SIDE YARD
  - a) 5 feet from side of main structure to side property line (Interior side).
  - b) 10 feet from side of main structure to side property line (Corner side if applicable).

## 3) REAR YARD

- a) 10 feet from back of main structure to rear property line.

**\*\*NOTE:** There is a provision for exception to the setback requirement if the lot is less than 50 feet wide. The width of the required side yard may be reduced by 10% of the width of the lot, but in no case, less than three (3) feet.

**MINOR MODIFICATION**

A Minor Modification does not require a public hearing or review by both the Architectural Review Committee and the Planning Commission, however it does require a public hearing and approval by one of the boards (usually the board that meets first).

***EXCEEDING ANY OF THE FOLLOWING CRITERIA WILL REQUIRE A MINOR MODIFICATION.***

- 1) Exceeding the otherwise applicable maximum lot coverage
  - a) To allow more than fifty percent (50%) lot coverage for lots 2,500 sq. ft. or less
  - b) To allow not more than 48% lot coverage for lots larger than 2,500 sq. ft.
- 2) Failing to meet the minimum side or rear setback requirements by not more than two (2) feet.

**WHEN IS AN ARCHITECTURAL REVIEW PERMIT REQUIRED?**

The Architectural Review Board is a three-member subcommittee of the Planning Commission. They review the exterior of buildings for compatibility of materials and general consistency with the character of individual neighborhoods, and thereupon issue Architectural Review Permits.

Under the new ordinance, an Architectural Review Permit is required for single-family and two-family dwellings under the following conditions:

- 1) For all construction and expansions, which also require a Conditional Use Permit, Variance, Parking Exception, or Minor Modification as indicated in the proceeding sections.
- 2) For all expansions to existing single-family houses and two-flats which increase the residence by more than 1,000 square feet, regardless of whether a Conditional Use Permit is required.
- 3) For all expansions or new construction of single-family houses or two-flats which will result in a residence of more than 3,000 gross square feet, regardless of whether a Conditional Use Permit is required.

**WHEN IS A PARKING EXCEPTION ALLOWED?**

A Parking Exception is a minor form of a zoning variance relating specifically to off-street parking standards. For the residential districts, each off-street parking space should consist of a 10 foot wide by 20-foot long covered parking space. The driveway apron is not considered off-street parking and tandem parking is not considered two spaces, however, tandem parking can be allowed by a Parking Exception.

The process to obtain a Parking Exception is similar to that of the Conditional Use Permit process, with public notification and review before the Planning Commission.

### STANDARD ZONING REQUIREMENTS

Single-family houses are permitted in both the R-1 and the R-2 Zoning Districts, while two-family houses are allowed on larger lots in the R-2 Zoning District. Standard zoning requirements include:

Minimum lot area for interior lot in R-1 or R-2 district:	5,000 sq. ft.
Minimum lot area for corner lot in R-1 or R-2 district:	6,000 sq. ft.
Minimum lot area for two-family house in R-2 zoning district:	5,800 sq. ft. (2,900 sq. ft./per unit)
Minimum lot width for interior lot in R-1 or R-2 district:	50 feet
Minimum lot width for corner lot in R-1 or R-2 district:	60 feet
Minimum front yard setback for ground floor of single-family or two-family house:	15 feet
Minimum setback for garage: (from back of sidewalk for R-1 and R-2)	20 feet
Minimum side yard setback for ground floor of single-family or two-family house:	5 feet
Minimum side yard setback for corner lot facing a street:	10 feet
Minimum rear yard setback for single-family or two-family house:	10 feet
Maximum coverage by impervious surface in R-1 zoning district:	80 percent
Maximum coverage by impervious surface in R-2 zoning district:	85 percent



**EXAMPLES OF PERMITTED FLOOR AREA UNDER SAN BRUNO ORDINANCE**

The permitted Floor Area of single-family and two-flats is determined by multiplying the Adjusted Lot Size (from Chart 1 on page 10) by the Floor Area Ratio corresponding to the slope of the lot (from Chart 2 on page 10). Some examples are listed below:

**Example #1: Standard Flat Lot**

Lot Size = 5,000 square feet Adjustment Factor = 1.00 (from Chart 1)

Lot Slope = less than 10%

Floor Area Ratio = 0.550 (from Chart 2)

Max. Floor Area =  $5,000 \times 1.00 \times 0.550 = 2,750$  sq. ft.

Max Lot Coverage =  $2,750$  sq. ft.  $\times .80 = 2,200$  sq. ft.

**Example #2: Substandard Flat Lot**

Lot Size = 2,500 square feet Adjustment Factor = 1.20 (from Chart 1)

Lot Slope = less than 10%

Floor Area Ratio = 0.550 (from Chart 2)

Max. Floor Area =  $2,500 \times 1.20 \times 0.550 = 1,650$  sq. ft.

Max Lot Coverage =  $1,650$  sq. ft.  $\times .80 = 1,320$  sq. ft.

**Example #3: Non-standard Lot**

Lot Size = 12,000 square feet

Adjustment Factor = 0.64 (from Chart 1)

Lot Slope = 40%

Floor Area Ratio = 0.407 (from Chart 2)

Max. Floor Area =  $12,000 \times 0.64 \times 0.407 = 3,126$  sq. ft.

Max Lot Coverage =  $3,126$  sq. ft.  $\times .80 = 2,501$  sq. ft.

**CHART 1**  
**LOT ADJUSTMENT FACTOR**

<u>Lot Size **</u>	<u>Adjustment Factor</u>
2,500	1.20
3,000	1.16
3,500	1.12
4,000	1.08
4,500	1.04
5,000	1.00
5,500	0.97
6,000	0.94
6,500	0.91
7,000	0.88
7,500	0.85
8,000	0.82
8,500	0.79
9,000	0.77
9,500	0.75
10,000	0.73
10,500	0.71
11,000	0.68
11,500	0.66
12,000	0.64
12,500	0.62
13,000	0.61
13,500	0.60
14,000	0.59
14,500	0.58
15,000	0.57
15,500	0.56
16,000	0.55
16,500	0.54
17,000	0.53
17,500	0.52
18,000	0.51
18,500	0.50
19,000	0.49
19,500	0.48
20,000	0.47
>20,000	0.47

**CHART 2**  
**MAXIMUM ALLOWABLE FLOOR AREA**

<u>Average Slope (Percent)</u>	<u>Floor Area Ratio (FAR)</u>
<10	.550
10	.550
11	.545
12	.541
13	.537
14	.533
15	.529
16	.524
17	.519
18	.514
19	.509
20	.505
21	.500
22	.495
23	.490
24	.485
25	.480
26	.475
27	.470
28	.465
29	.460
30	.456
31	.451
32	.446
33	.441
34	.436
35	.432
36	.427
37	.422
38	.417
39	.412
40	.407
41	.402
42	.397
43	.392
44	.387
45	.383
>45	.380

\*\* Round lot size to nearest 500 sq. ft interval.